

Trial Court Funding – Maintenance of Effort (MOE)

DESCRIPTION OF MAJOR SERVICES

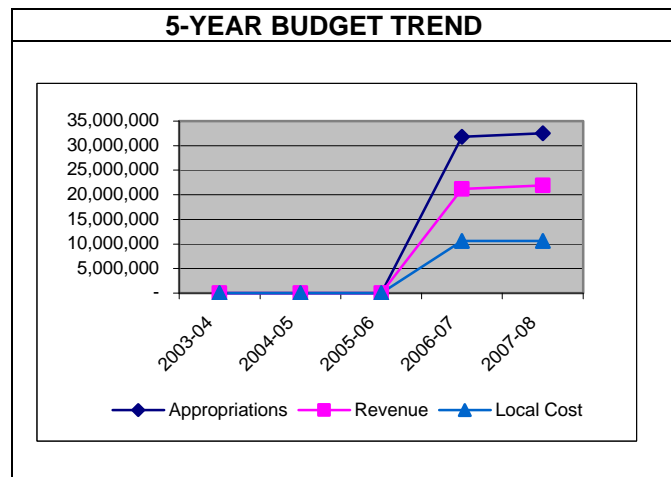
On January 1, 1998, AB233, the Lockyer – Isenberg Trial Court Funding Act of 1997 went into effect in the State of California. This bill fundamentally changed how the trial courts are funded by transferring primary responsibility for funding the courts to the state, including sole responsibility for funding future growth in court operations costs. In addition, it requires counties to make a capped maintenance of effort (MOE) payment to the state each year for operations of the courts. In return, the state allowed the counties to retain many fines and forfeitures to help fund their MOE payments with the provision that collections that exceed the amount of the revenue MOE be shared equally between the state and the county. Of the remaining one half of excess revenue retained by the county, 25% is transferred to the Courthouse Facility special revenue fund to assist with costs of the seismic retrofit/remodel of the central courthouse.

The county's historical MOE contribution of \$28,390,295 was made up of two components. The expenditure component of \$20,227,102 represented the adjusted 1994-95 county expenses for court operations and the revenue component of \$8,163,193 was based on the fine and forfeiture revenue sent to the state in 1994-95. The revenue component has been reduced to \$3,325,704 in 2006-07 due to legislation enacted in recent years. Therefore, the county's current MOE contribution is \$23,552,806.

Other legislation mandated that beginning in 2003-04, all California counties contribute an additional payment to the state toward court funding. The payment was intended to help the state during its budget crisis and was in lieu of the state taking counties' various undesignated revenues, which would be a much higher amount. San Bernardino County's share of the sweep was \$727,264 in 2005-06 and \$545,499 in 2006-07.

There is no staffing associated with this budget unit.

BUDGET HISTORY



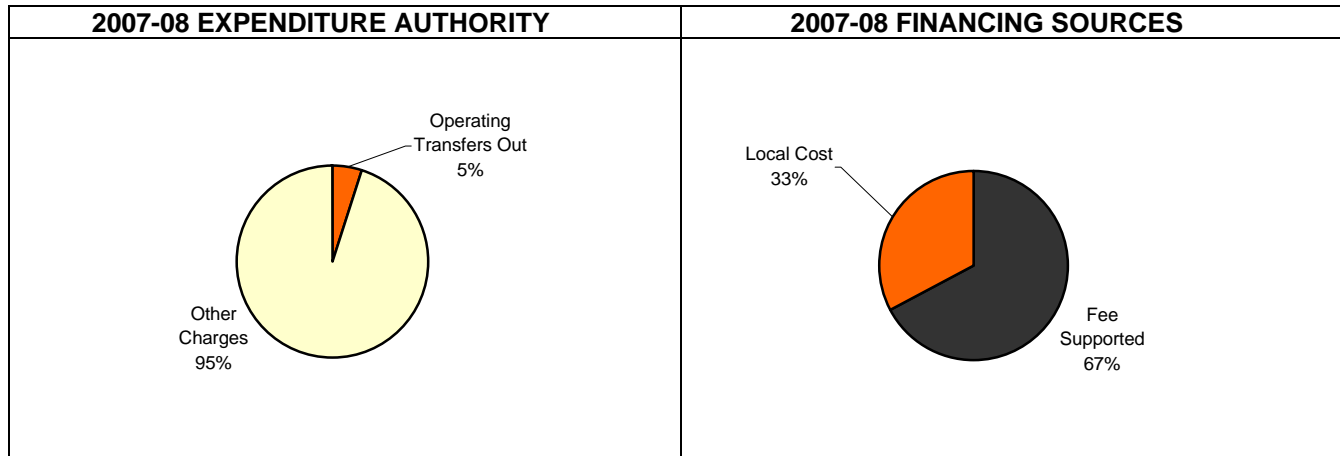
PERFORMANCE HISTORY

	2003-04 Actual	2004-05 Actual	2005-06 Actual	2006-07 Modified Budget	2006-07 Actual
Appropriation	36,063,535	35,890,577	31,973,487	31,782,490	35,361,084
Departmental Revenue	28,763,962	28,238,674	23,955,215	21,156,000	25,519,243
Local Cost	7,299,573	7,651,903	8,018,272	10,626,490	9,841,841

Actual appropriation in 2006-07 were over \$3.6 million than the modified budget primarily because of an increase in the collection of fines and fees. This increase in revenue is shared with the state (50%) and the county portion will be used to finance the equity buyout of the six facilities transferred to the state.



ANALYSIS OF FINAL BUDGET



GROUP: Law and Justice
DEPARTMENT: Trial Court Funding - Maintenance of Effort
FUND: General

BUDGET UNIT: AAA TRC
FUNCTION: Public Protection
ACTIVITY: Judicial

	2003-04 Actual	2004-05 Actual	2005-06 Actual	2006-07 Actual	2006-07 Final Budget	2007-08 Final Budget	Change From 2006-07 Final Budget
Appropriation							
Other Charges	34,755,850	34,617,482	30,498,334	33,721,402	30,532,490	30,850,674	318,184
Total Appropriation	34,755,850	34,617,482	30,498,334	33,721,402	30,532,490	30,850,674	318,184
Operating Transfers Out	1,307,685	1,273,095	1,475,153	1,639,682	1,250,000	1,700,000	450,000
Total Requirements	36,063,535	35,890,577	31,973,487	35,361,084	31,782,490	32,550,674	768,184
Departmental Revenue							
Fines and Forfeitures	7,953,555	8,213,531	9,756,309	10,818,093	8,412,500	9,280,684	868,184
Current Services	20,810,407	20,025,143	14,198,906	14,701,150	12,743,500	12,643,500	(100,000)
Total Revenue	28,763,962	28,238,674	23,955,215	25,519,243	21,156,000	21,924,184	768,184
Local Cost	7,299,573	7,651,903	8,018,272	9,841,841	10,626,490	10,626,490	-

Other charges of \$30,850,674 are increased due to higher fines collections, which in turn will increase the payment to the state for its 50% share of those collections.

Operating transfers out increased from \$1,250,000 to \$1,700,000 to transfer additional revenue to the Courthouse Facility special revenue fund.

Departmental revenue of \$21,924,184 is increased based on past and current fines collections. Fines and forfeitures include revenues from traffic and criminal fines as well penalty assessments. Current services comprises revenues such as Vital Statistics Fees, Civil Filing Fees, Traffic School, and Recording Fees.

